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16 **UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 JASON FYK,

19 Plaintiff,

20 v.

21 FACEBOOK, INC.,

22
23 Defendant.
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25
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27
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Case No. 4:18-cv-05159-JSW-KAW

**STIPULATION REGARDING ONE
WEEK ENLARGEMENT OF THE
NOVEMBER 30, 2018, DEADLINE FOR
PLAINTIFF TO RESPOND TO
DEFENDANT'S NOVEMBER 1, 2018,
MOTION TO DISMISS AND RELATED
DEADLINES**

1 The parties, by and through their legal counsel, stipulate to the enlargement of the November
2 30, 2018, deadline (and related reply deadline and hearing date) for Plaintiff to respond to Defendant's
3 November 1, 2018, Motion to Dismiss [D.E. 20] deadline, as follows:

4 1. On August 23, 2018, Plaintiff commenced the instant action. [D.E. 1].

5 2. Pursuant to a stipulated enlarged Complaint response deadline, Defendant filed its
6 Motion to Dismiss on November 1, 2018. [D.E. 20].

7 3. The deadline by which Plaintiff is to respond to the Motion to Dismiss is presently
8 scheduled for November 30, 2018, with the reply deadline presently set on December 14, 2018, and
9 the hearing presently scheduled for January 25, 2018. *See* [D.E. 22].

10 4. As previously noted, Plaintiff's lead counsel ("lead" at least with respect to the drafting
11 of the response to the Motion to Dismiss) is presently dealing with significant personal issues (the
12 failing health and looming death of his mother-in-law) that make the November 30, 2018, response
13 deadline unfeasible. Moreover, the additional week is requested due to a snow storm that struck the
14 State of New Jersey where Plaintiff's additional counsel (those aiding Mr. Greyber in the drafting of
15 the response amidst his aforementioned personal situation), which caused attorneys and support staff
16 to become stranded, forced to leave early, and unable to return to work the next day. Moreover, due to
17 unanticipated conflicts in schedules caused by attorneys and support staff travel out-of-state and
18 without remote access over the Thanksgiving holiday, which fell right in the middle of the response
19 period, counsel has been unable to complete the necessary briefing and obtain all necessary approvals
20 within the response timeframe.

21 5. Plaintiff's legal counsel has conferred with Defendant's legal counsel regarding the
22 need for a one-week enlargement of the November 30, 2018, deadline. Plaintiff's counsel is authorized
23 to represent that Defendant's counsel stipulates to the requested enlargement.

24 6. The parties stipulate to the enlargement of the subject deadlines, as follows: (a)
25 Enlargement of the Motion to Dismiss response deadline from November 30, 2018, to December 7,
26 2018; (b) Enlargement of the December 14, 2018, reply deadline to December 21, 2018; and (c)
27 Maintaining the January 25, 2019, hearing.
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7. This enlargement request is not made for any improper purpose, and the Court's granting of this enlargement request would not stand to derail the progress of this case or prejudice any party; indeed, the parties stipulate to the requested enlargement and the January 25, 2019, hearing would remain as is.

WHEREFORE, the aforementioned enlargement request being stipulated to, it is respectfully requested that the Court enter an order (a) enlarging the deadlines in the manner requested in Paragraph 6 above (a proposed order is attached as Exhibit A for the Court's convenience), and (b) awarding any other relief that the Court deems equitable, just, or proper.

Dated: November 28, 2018

Respectfully submitted,

CALLAGY LAW, P.C.

/s/ Jeffrey L. Greyber

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 28, 2018, I electronically filed the foregoing documents with the Clerk of the Court by using CM / ECF. I also certify that the foregoing document is being served this day on all counsel of record via Notices of Electronic Filing generated by CM / ECF, and via emails to defense counsel of record.

/s/ Jeffrey L. Greyber
Jeffrey L. Greyber, Esq.